

Amend **SB 8** (house committee report) by striking all below the enacting clause and substituting the following:

SECTION 1. Title 7, Government Code, is amended by adding Chapter 753 to read as follows:

CHAPTER 753. IMMIGRATION LAW ENFORCEMENT AGREEMENTS BETWEEN
SHERIFFS AND FEDERAL GOVERNMENT

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 753.001. DEFINITIONS. In this chapter:

(1) "Immigration enforcement agency" means the United States Immigration and Customs Enforcement.

(2) "Immigration law enforcement agreement" means a written agreement between a state or local law enforcement official and the immigration enforcement agency under Section 287(g), Immigration and Nationality Act (8 U.S.C. Section 1357(g)), or a similar federal program, that authorizes the official and the official's officers, employees, and contractors to enforce federal immigration law. The term includes a warrant service model agreement.

(3) "Warrant service model agreement" means a written agreement between a state or local law enforcement official who operates a jail, or contracts with a private vendor to operate a jail, and the immigration enforcement agency under Section 287(g), Immigration and Nationality Act (8 U.S.C. Section 1357(g)), or a similar federal program, that authorizes the official and the official's officers, employees, and contractors to:

(A) serve and execute warrants of arrest for immigration violations in the jail on designated aliens at the time of the alien's scheduled release from criminal custody in order to transfer custody of the alien to the immigration enforcement agency; and

(B) serve warrants of removal on designated aliens in the jail at the time of the alien's scheduled release from criminal custody that execute the custodial transfer of the alien to the immigration enforcement agency for removal purposes.

Sec. 753.002. GIFTS, GRANTS, AND DONATIONS. The comptroller may accept gifts, grants, and donations to establish and administer the grant program and reimbursement program

established under this chapter.

Sec. 753.003. EFFECT ON COUNTY APPROPRIATIONS. In relation to money received from a grant or reimbursement awarded to a sheriff under this chapter, the commissioners court of the county the sheriff serves may not reduce the appropriation to the sheriff's department in response to the sheriff receiving the grant or reimbursement.

SUBCHAPTER B. IMMIGRATION LAW ENFORCEMENT AGREEMENTS REQUIRED

Sec. 753.051. WARRANT SERVICE MODEL AGREEMENTS. (a) Except as provided by Section 753.052, the sheriff of each county that operates a jail or contracts with a private vendor to operate a jail shall request and enter into a warrant service model agreement with the immigration enforcement agency.

(b) A sheriff who requested but did not enter into a warrant service model agreement under this section shall make additional requests to enter into a warrant service model agreement under this section at least once annually after each request is made, unless the sheriff entered into an immigration law enforcement agreement under Section 753.052 and that agreement is in effect.

Sec. 753.052. ALTERNATIVE IMMIGRATION LAW ENFORCEMENT AGREEMENTS. A sheriff may satisfy the requirements of Section 753.051 by entering into an immigration law enforcement agreement with the immigration enforcement agency that grants the sheriff and the sheriff's officers, employees, and contractors authority to enforce federal immigration law in a manner that exceeds the authority granted under a warrant service model agreement.

Sec. 753.053. IMMIGRATION LAW ENFORCEMENT AGREEMENT REQUIREMENTS. An immigration law enforcement agreement entered into under this subchapter must include the scope, duration, and limitations of the authority to enforce federal immigration law.

Sec. 753.054. ALLOCATION OF RESOURCES. A sheriff who enters into an immigration law enforcement agreement under this subchapter shall allocate the necessary resources, including personnel and funding, to ensure the proper implementation of the agreement, including the resources necessary to meet any reasonable objectives for enforcement set forth in the agreement.

SUBCHAPTER C. GRANT PROGRAM

Sec. 753.101. ESTABLISHMENT AND ADMINISTRATION. From any money appropriated or otherwise available for this purpose, the comptroller shall establish and administer a grant program to support the state purpose of assisting sheriffs participating in immigration law enforcement agreements under Subchapter B that have the authority granted under a warrant service model agreement.

Sec. 753.102. ELIGIBILITY AND APPLICATION. (a) A sheriff is eligible to apply for a grant under this subchapter if the sheriff has entered into an immigration law enforcement agreement under Subchapter B that has the authority granted under a warrant service model agreement.

(b) The comptroller by rule may require an applicant to submit information or documentation with respect to a grant application submitted under this section.

Sec. 753.103. AWARD. (a) On approval of an application submitted under Section 753.102 and using money appropriated to the comptroller or otherwise available for this purpose, the comptroller shall award a grant to an eligible sheriff who applies for the grant as provided by Subsection (b).

(b) The amount of grant money awarded to a sheriff must be determined based on the population of the county the sheriff serves according to the following tiers:

(1) \$5,000 for a county with a population of 99,999 or less;

(2) \$10,000 for a county with a population of at least 100,000 but not more than 499,999;

(3) \$20,000 for a county with a population of at least 500,000 but not more than 999,999; and

(4) \$40,000 for a county with a population of at least one million.

(c) A sheriff who is awarded a grant under this section must use the grant money to pay the costs associated with the authority granted under a warrant service model agreement that are not reimbursed by the federal government.

(d) A sheriff may receive only one grant under this section.

SUBCHAPTER D. REIMBURSEMENT PROGRAM

Sec. 753.151. ESTABLISHMENT AND ADMINISTRATION. (a) From any money appropriated or otherwise available for this purpose, the comptroller shall establish and administer an annual reimbursement program to support the state purpose of assisting sheriffs participating in immigration law enforcement agreements under Subchapter B for expenses incurred in relation to the authority granted under a warrant service model agreement.

(b) The comptroller shall adopt rules necessary to administer the reimbursement program, including setting application deadlines.

Sec. 753.152. ELIGIBILITY AND APPLICATION. (a) A sheriff is eligible to apply for reimbursement under this subchapter for expenses incurred in relation to the authority granted under a warrant service model agreement if the sheriff has entered into an immigration law enforcement agreement under Subchapter B.

(b) An application by a sheriff must include:

(1) the number and name of each inmate who has been held by the sheriff subject to an immigration detainer issued by the immigration enforcement agency;

(2) the number of days the sheriff held each inmate subject to an immigration detainer issued by the immigration enforcement agency; and

(3) the costs to the county for holding the inmates described by this subsection.

(c) The comptroller by rule may require an applicant to submit additional information or documentation with respect to a reimbursement application submitted under this section.

Sec. 753.153. AWARD. (a) On approval of an application submitted under Section 753.152 and using money appropriated to the comptroller or otherwise available for this purpose, the comptroller shall reimburse each eligible sheriff who applies for reimbursement on a prorated basis.

(b) The comptroller by rule shall prescribe the process for determining and prorating how much money an eligible sheriff may receive for reimbursement.

SUBCHAPTER E. REPORTING AND ENFORCEMENT

Sec. 753.201. REPORTING. Not later than December 1 of each even-numbered year, the comptroller shall prepare a written report on sheriffs participating in immigration law enforcement agreements under Subchapter B using information provided to the comptroller under Subchapters C and D and submit the report to the governor, lieutenant governor, and speaker of the house of representatives.

Sec. 753.202. ENFORCEMENT BY ATTORNEY GENERAL. (a) The attorney general may bring an action against a sheriff who fails to comply with Subchapter B in a district court for appropriate equitable relief.

(b) The attorney general may recover reasonable expenses incurred in obtaining relief under Subsection (a), including court costs, reasonable attorney's fees, investigative costs, witness fees, and deposition costs.

(c) An action brought against a sheriff under this section must be brought in a district court for the county served by the sheriff.

SECTION 2. Not later than December 1, 2026, the sheriff of each county shall comply with Subchapter B, Chapter 753, Government Code, as added by this Act.

SECTION 3. This Act takes effect January 1, 2026.